

EXHIBIT A

WER.6526

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SEPTEMBER LEE FULLER

Plaintiff,

v.

**WERNER ENTERPRISES, INC.
AND GREGORY GEORGE HITTNER**

Defendants.

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CIVIL ACTION NO. 3:16-CV-2958-L

**DEFENDANTS WERNER ENTERPRISES, INC.
AND GREGORY GEORGE HITTNER'S FIRST AMENDED
ANSWER TO PLAINTIFF'S FIRST AMENDED COMPLAINT**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, **WERNER ENTERPRISES, INC.** and **GREGORY GEORGE HITTNER**, Defendants in the above matter (hereinafter, "Defendants"), and file this First Amended Answer to Plaintiff's First Amended Complaint and would respectfully show unto the Court the following:

ADMISSIONS AND DENIALS

1. Defendants admit that this Court has jurisdiction over this matter as alleged within Paragraph 1 of Plaintiff's First Amended Complaint.
2. Defendants admit the procedural history as alleged within Paragraph 2 of Plaintiff's First Amended Complaint.
3. Defendants admit the allegations contained within Paragraph 3 of Plaintiff's First Amended Complaint.

4. Defendants admit the allegations contained within Paragraph 4 of Plaintiff's First Amended Complaint.
5. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations as set forth in Paragraph 5 of Plaintiff's First Amended Complaint.
6. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations as contained within Paragraph 6 of Plaintiff's First Amended Complaint.
7. Defendants admit that Hittner was operating a 2015 Freightliner east bound on Interstate 30 prior to the incident under Defendant Werner's care, custody, and control. Defendants deny the remainder of the allegations as set forth in Paragraph 7 of Plaintiff's First Amended Complaint.
8. Defendants deny the allegations as against Defendant Hittner, but admit the remainder of the allegations as against Co-Defendant Stubbs as set forth in Paragraph 8 of Plaintiff's First Amended Complaint.
9. Defendants deny the allegations as contained within Paragraph 9 of Plaintiff's First Amended Complaint.
10. Defendants deny the allegations as contained within Paragraph 10 of Plaintiff's First Amended Complaint.
11. Defendants deny the allegations as contained within Paragraph 11 of Plaintiff's First Amended Complaint.

12. Defendants admit that Werner owned the tractor being operated by Defendant Hittner and that Hittner was within the course and scope of his employment at the time of the incident. Defendants deny the remainder of the allegations as contained within Paragraph 12 of Plaintiff's First Amended Complaint.

13. Defendants admit the allegations as set forth in Paragraph 13 of Plaintiff's First Amended Complaint.

14. Defendants admit the allegations as set forth in Paragraph 14 of Plaintiff's First Amended Complaint.

15. Defendants admit that in the event a jury finds negligence on Defendant Hittner, Werner is vicariously responsible. Defendant Werner denies that it is individually liable to Plaintiff and the remainder of the allegations as set forth in Paragraph 15 of Plaintiff's First Amended Complaint.

16. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations as set forth within Paragraph 16 of Plaintiff's First Amended Complaint.

17. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations as set forth in Paragraph 17 of Plaintiff's First Amended Complaint.

18. Defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations as set forth in Paragraph 18 of Plaintiff's First Amended Complaint.